

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ELNA MARIE BERRY; BART BERRY; GWINT  
L. FISHER; RENÉE FISHER; IRIS RUIZ;  
GARET CUNNINGHAM; ROSALBA RUIZ;  
SUZANNAH LUHN ANDERSON; RYAN  
ANDERSON, DEBBIE ASHKAR and STEVEN  
ASHKAR, individually and on behalf of their  
minor son, C.A.; KENDRA FROME and DAVID  
FROME, individually and on behalf of her minor  
children J.F., H.F. and O.F.; MARGARITA  
ANDERSON; JOSH ANDERSON; MINHKIM  
BUI; MINHTAM BUI; EVAN GRANGER;  
CHRISTOPHER HICKMAN; TERESA  
HICKMAN; MEGAN HUTCHENS;  
ELIZABETH LE; CONNER MEJIA; JESSICA  
MONTOKA; ROBERT MONTOKA; VI  
NGUYEN; MICHAEL SIMENTAL and GRACE  
SIMENTAL, individually and on behalf of their  
minor children E.S. and K.S.; EVAN SMITH;  
LORRAINE SMITH; DENISE STEWART;  
NATHANIEL STEWART; GEORGE TATE JR.,  
L'TOYA WHEELER-TATE; MARY GRACE  
CATLE-USTARIS; ROBERTO USTARIS;  
JENNIFER WINEGAR; DARREN WINEGAR;  
KIRSTEN WRIGHT; THOMAS KASTEN;  
ROBERT WRIGHT; individually,

Plaintiffs,

v.

THE BOEING COMPANY, a Delaware profit  
corporation; SPIRIT AEROSYSTEMS, INC., a  
Delaware profit corporation; and ALASKA  
AIRLINES, INC., an Alaska corporation,

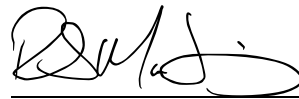
Defendants.

Case No.: 2:24-cv-00134-RSM

**ORDER GRANTING  
STIPULATED MOTION FOR  
PARTIAL DISMISSAL**

1           THIS MATTER came before the court on the parties Stipulated Motion for Partial  
2 Dismissal. Based on the stipulation it is hereby ORDERED that Plaintiffs' causes of action of  
3 fraud shall be dismissed without prejudice. This Order does not strike factual allegations in Section  
4 12 of Plaintiffs' Second Amended Complaint. It is further ORDERED that Defendant The Boeing  
5 Company's Partial Motion to Dismiss, Dkt. #55, is STRICKEN AS MOOT. Boeing's time to  
6 respond to the Second Amended Complaint shall be thirty (30) days from the entry of this Order.

7           DATED this 23<sup>rd</sup> day of July, 2024.

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10 RICARDO S. MARTINEZ  
11 UNITED STATES DISTRICT JUDGE  
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